Indian Self-government

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Indian Self-Government

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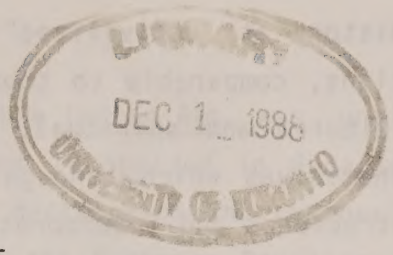

INDIAN SELF-GOVERNMENT

ISSUE DEFINITION

The focus of discussions between aboriginal people and the federal government has, in recent years, been the issue of aboriginal self-government. In particular, the recognition of the right to self-government was an agenda item during the 1984 Constitutional Conference of First Ministers on Aboriginal Rights and, at the 1985 Conference, was the centre of discussion.

As well, the federal government has been discussing with Indian people a variety of legislative means for implementing self-government. In 1984 general framework legislation for this purpose was tabled in the House of Commons. It died on the order paper and was never re-introduced.

The government is now pursuing Indian self-government at the community level. In June of 1986 the Sechelt Indian Band became the first individual band to become self-governing under Canadian law.

BACKGROUND AND ANALYSIS

A. Background

The claim to aboriginal self-government is based on historical fact. Before the Europeans settled in North America, the continent had been inhabited for thousands of years by self-governing nations of aboriginal peoples. These nations. though often portrayed in

history as "uncivilized" and "savage", were in fact intelligent civilizations, comparable to those in Europe at the time. They were productive, cultured and spiritual, and had evolved over time a method of governing themselves which, though not in written form, included complex political structures and incorporated cultural and spiritual values.

Initially, attempts were made to suppress Indian governments by outlawing their activities, seizing the records and symbols of government, and imposing the Indian band council system under the Indian Act. The Haudenosaunee (Iroquois or Six Nations) government, for example, was refused official recognition, and its leaders were jailed. In 1924, all the records and symbols of the government were seized by the Royal Canadian Mounted Police during a raid of the council hall at the Six Nations Reserve. Shortly after the raid, the band council was installed to replace the traditional Haudenosaunee government.

Similarly, the Potlatch, a system of government for many west coast Indian Nations, was outlawed. Ceremonial items and symbols were seized by the federal government and the band council system was imposed. As late as 1951, attendance at Potlatch functions was punishable by imprisonment.

Despite this, traditional Indian governments have survived. Many Indian Nations maintained two forms of government simultaneously, publicly using the band council system to satisfy the federal government while secretly continuing a traditional government.

With the broadening of Canadian attitudes towards Indian people, some of the ceremonial items, symbols and records of traditional Indian governments have been returned to them, though many, of course, are lost forever. As well, their governing activities are being more widely accepted. These traditional governments are, however, not legally recognized by the Canadian government, and still function under virtually total federal control.

Indian self-government is perceived as a means to enable Indian Nations to move away from a state of dependency, to meet the political and social aspirations of their people and to rebuild their social structures.

B. The Indian Act

The "band council", created under the Indian Act, was, until very recently, the only form of Indian government recognized in Canadian law. Under the band council system, the primary decision-making responsibility rests with the Minister of Indian Affairs and Northern Development or with the department, rather than with the band itself. This results in the direct involvement of the federal government in the routine matters of a local government.

The band councils' by-law making powers as specified in the Act are very limited and the by-laws must not be inconsistent with the Act or with any regulations passed by Cabinet on similar subjects. All by-laws are subject to disallowance by the Minister.

The band councils' financial capacities are also limited. All decisions relating to the expenditure of band capital moneys (proceeds from the sale of surrendered land or capital assets) are made by the Minister, with the consent of the band council. At the direction of Cabinet, the band may be permitted to manage its revenue moneys (s. 69) and, if the band is considered to have reached "an advanced stage of development", it may be allowed to make by-laws relating to the raising of money or the management of funds.

There are many matters for which the Indian Act does not make provision. This leads to uncertainty when band councils become involved on their own initiative in projects such as economic development or service delivery.

Most Indian leaders reject this band council system. Some believe it was imposed as a method of assimilation and government control, as part of a structure designed to replace and destroy Indian cultures, customs, and traditional governments. Others point out that, due to the band councils' severely limited range of powers and their uncertain legal status, they are unable to provide effective responsive local government.

C. Attempts at Change - 1951-1982

Since the early 1960s, the government has been aware that the Indian Act does not meet the needs and aspirations of Indian people.

Until 1985, when the provisions dealing with Indian status were amended, however, the Act had been virtually unchanged since 1951. This was largely due to the widely divergent viewpoints of the Indian organizations and the federal government.

The Hawthorne Report of the 1960s called for greater choices and opportunities for Indian people with the retention of special status. In contrast, the 1969 "White Paper" proposed that the Indian Act be repealed, that the Department of Indian Affairs and Northern Development (DIAND) be dismantled, the provinces deliver services and the special legal status of Indian people be ended. This proposal was rejected by Indian people as being tantamount to cultural genocide. In 1971, this policy was withdrawn and the government promised not to amend the Indian Act without the agreement of Indian people.

In the 1960s, DIAND introduced a policy designed to reduce its role as the sole provider of services to Indian people. Agreements were reached with the provincial governments through which the provinces were reimbursed for providing services to Indians in the areas of health care, education and child welfare. Initially these arrangements were made without the prior agreement of Indian people. More recently, however, there has been Indian participation and a number of tripartite agreements have been reached.

DIAND introduced its devolution policy - the policy of allowing band councils to manage and deliver departmental programs - as early as the 1950s. Many bands now provide services such as social assistance, and are responsible for the administration of federal schools. Approximately 50% of the DIAND program budget is now administered by Indian bands. Under this policy, however, band councils do not have the power to plan and design programs and services, or to manage federal funds. Control is retained by the Minister and the band councils are accountable to him as opposed to being accountable to the people in their communities.

The government began its consideration of the issue of self-government in the late 1970s and early 1980s. In 1982, the Honourable John Munro, the then Minister of Indian Affairs and Northern Development, presented his proposal for "Optional Indian Band Government Legislation" to the Sub-Committee on Indian Self-Government. (The legislation was never

actually drafted.) The proposal was based on the premise that community decision-making should take place at the band level and that the adoption of this legislation by a band council should be optional. Those bands wishing to continue to operate under the Indian Act would be able to do so. This proposal was rejected by Indian people for two reasons: first, because it was developed unilaterally by the government without the broad-based participation of Indians; second, because it represented a delegation of powers by Parliament to the band councils and was not a recognition of the inherent right of Indian Nations to govern themselves.

D. Special Committee on Indian Self-Government

On 3 November 1983, the Report of the Special Committee of Indian Self-Government was tabled in the House of Commons. The committee, which included ex officio and liaison members from three national Indian organizations, heard a total of 567 witnesses during 215 oral presentations. Its report received unanimous support from all three political parties in the House of Commons.

The report called for a new relationship between the federal government and Indian people, an essential element of which would be the recognition of Indian self-government. The committee further recommended that the right to self-government should be clearly recognized in the Constitution.

The report recommended that Indian governments become a "distinct order of government" within Canadian federalism, which would exercise full authority on Indian reserves. Funding would continue to be provided by the federal government; however, Indian Nations would be accountable to their members and would develop their own programs and priorities.

Mr. John Munro, Minister of Indian Affairs and Northern Development, tabled the Response of the Government to the Report of the Special Committee on Indian Self-Government in the House of Commons on 5 March 1984. It recognized the need for the federal government to develop a new relationship with Indian people and outlined the principles of a proposed framework legislation for self-government.

PARLIAMENTARY ACTION

A. Self-Government Legislation

Bill C-52, the proposed Indian Self-Government Act, was tabled in the House of Commons on 27 June 1984 by the Honourable John Munro. It comprised enabling legislation which provided a framework for the recognition and the implementation of Indian Nation governments. Under the Act, the Indian government would have the capacity of a natural person except for the ability to mortgage reserve lands. It would also have specified legislative and executive powers. Additional powers could be acquired through negotiation and agreement with the Minister.

The Bill received mixed reviews from Indian people. Some expressed concern that the Bill represented, not a recognition of authority, but a delegation of authority. The Bill died on the order paper with the dissolution of Parliament and no effort was made to revive it.

The Honourable David Crombie was appointed Minister of Indian Affairs and Northern Development on 17 September 1984. After travelling extensively and meeting with as many Indian people as possible, the Minister stated that the government would not reintroduce Bill C-52 or proceed with any similar general framework legislation. In a policy statement on 15 April 1986 he further indicated the government's commitment to implementing Indian self-government on a community-by-community basis, either within the Indian Act or beyond it.

Bill C-93, The Sechelt Indian Band Self-Government Act (the Sechelt Act) was tabled in the House of Commons on 5 February 1986. It passed third reading in Parliament on 17 June 1986. On 9 October 1986, after the funding arrangements were finalized and the community had ratified the Sechelt Band Constitution through referendum, the legislation received Royal Assent. The Sechelt Indian Band became the first individual Indian Band to be recognized by the federal government as self-governing. It also became the first Indian Band in Canada to hold fee-simple title to its reserve land.

The Sechelt Act is a form of enabling legislation which does not detail every aspect of the proposed form of government, but instead

contains the general authority for the Sechelt Band to become a self-governing entity. The Act does not list the rights, powers and duties of the Sechelt government but instead establishes it as a legal entity with the powers of a natural person. The Band constitution, in which the powers and structure of government are set out, is the operative governing document.

Under the Sechelt Act, the Sechelt government will be able to make laws, (subject to the Sechelt Constitution) in relation to land access and use, taxation related to land, roads, business operations, public order and safety, health, social and welfare services, education, and many other matters.

Federal funding to the Sechelt Band will continue at the same level through annual federal transfer payments.

The Sechelt Act also makes provision for the Sechelt Indian Government District, which would run the day-to-day aspects of local government which affect both Indian and non-Indian Sechelt residents alike. The creation of the Sechelt Indian Government District requires provincial cooperation and discussions are currently underway with the province of British Columbia regarding the drafting of the appropriate legislation.

When the Sechelt Constitution was ratified by referendum on 20 September 1986, the vote was 193-8 in favour of accepting it. The Constitution sets forth the powers of the Sechelt Government in relation to band membership, Sechelt lands, natural resources, band expenditures, financial controls and the law-making procedures. As well, it details the procedure for referendum, elections, and band council meetings, and the regulations relating to band council employees.

B. Alternative Funding Arrangements

For Indian bands that wish to move in the direction of self-government at a slower pace, by developing greater autonomy and self-sufficiency under the Indian Act, the government is exploring a number of initiatives. Among these are Alternative Funding Arrangements which are perceived by government as another method of providing Indian band councils with the expanded authority to manage the affairs of their communities.

In November 1985 Cabinet approved a policy giving band councils a greater role in delivering federal programs. This included authority for DIAND to make funding arrangements which transfer program management responsibility to the bands.

The main features of Alternative Funding Arrangements are:

- The accountability of the chief and council to their band members is enhanced.
- The Minister's accountability to Parliament remains intact.
- Indian bands may modify and re-design federally-funded programs, in a way more appropriate to their community needs and priorities, as long as minimum program requirements are met.
- bands have the flexibility to transfer funds between programs, with the exception that capital cannot be transferred to operations and maintenance.
- It is possible to have agreements for periods of up to five years, subject to annual appropriations.

Under Alternative Funding Arrangements, the bands will be responsible for program delivery, including the development of internal policies, program specifications and standards, operational procedures, and financial accountability criteria.

C. New Developments Under the Indian Act

Despite the inadequacies of the Indian Act, it remains the major federal statute in relation to Indians and their lands; bands and governments frequently encounter problems in attempting to function within its constraints. Several initiatives under the Indian Act have been undertaken to provide for greater band responsibility. The first major amendments since 1951 were passed as Bill C-31 in 1985 (now S.C. 1985, c. 27). This Bill was best known for amending membership sections of the Indian Act in order to remove sections that permitted the loss or gain of federally recognized Indian "status" and band membership on the basis of sex and marital status, to restore status to many of those who had lost it over the years, and to abolish the concept of "enfranchisement"

(declaring oneself to no longer be an "Indian"). C-31 also increased certain band by-law powers, notably by a provision that permits bands to develop their own membership codes (within certain basic requirements) and to control residency on reserves. In its statutory report on implementation of these amendments tabled 28 June 1987, DIAND reported that as of 31 May 1987, control of membership had been transferred to 12 bands; by 16 September 68 bands had control, and 211 awaited decisions. 490 bands had received funds to work on rules as of 31 May. Since the question of "status", and thus entitlement to federal programs and services, is still determined by federal legislation, as is membership in bands who have not taken control, the system remains complex and controversial. Nonetheless, some scope for community self-identification is now available. Both the House of Commons Aboriginal Affairs Committee and the Senate Legal and Constitutional Affairs Committee have mandates to study the implementation of Bill C-31.

DIAND has also recently issued a publication, Proposed Amendments to the Indian Act Concerning Conditionally Surrendered Lands and Band Taxation Powers. "Conditionally surrendered" lands are portions of reserves which have been leased by bands for development purposes (commercial, residential and industrial uses by both Indians and non-Indians). Leasing can only be done after a "surrender" to the Department, done "conditionally" so that bands set the terms of the lease and retain their reversionary interest (i.e. the land will go back to the bands at the end of the term of the lease). Such developments have occurred to date amid great legal uncertainty as to the status of land (is it "reserve" or is it "lands reserved"?) and jurisdiction over it (what are band, federal or provincial powers?). The jurisdictional vacuum has created difficulties in the areas of taxation, zoning, health, sanitation and municipal services, thus impeding economic development.

The suggestions in the DIAND document were initiated by Chief Jules of the Kamloops Band and have been supported by resolutions of 115 other band councils. The changes described would clarify the legal

status of conditionally surrendered lands by making them "reserves" for most purposes of the Indian Act. The lands would remain under Indian control but interests in them (generally leases) could be granted to non-Indians in a manner compatible with (but not subject to) principles of provincial land law. Such leasehold interests could be mortgaged, for example, although the underlying Indian title would remain exempt from seizure. Bands would have power to pass taxation, zoning, business licensing and other necessary by-laws. Taxation jurisdiction would be shared to some degree with the federal government; band by-laws containing a specific taxation regime would be completed by federal regulations. An Indian Taxation Advisory Board would advise both the bands and the Minister on taxation matters, including local impacts, and dealing with the interests of non-Indians. Amendments based on these proposals have not yet been tabled in Parliament.

D. Constitutional Development

The federal government has also been pursuing aboriginal self-government at the constitutional level. At the 1984 Constitutional Conference of First Ministers on Aboriginal Rights, Prime Minister Trudeau stated the commitment of the federal government to establish aboriginal self-government in Canada. The federal proposal provided that:

> the aboriginal peoples of Canada have the right to self-governing institutions that will meet the needs of their communities, subject to the nature, jurisdiction and powers of those institutions, and to the financing arrangements relating thereto, being identified and defined through negotiation with the government of Canada and the provincial governments;

An accord was jointly proposed by the three national native organizations. It committed the federal and provincial governments to negotiating and concluding treaties for the implementation of aboriginal rights, including the right to self-government. No agreement was reached at this conference.

In his opening speech at the April 2-3, 1985 Conference, Prime Minister Mulroney expressed the commitment of the new government to aboriginal self-government. A constitutional amendment was proposed by the Prime Minister "to recognize and affirm the rights of the aboriginal peoples of Canada to self-government within the Canadian federation, where those rights are set out in negotiated agreements" and to commit federal and provincial governments "to participate in negotiations directed toward concluding agreements with aboriginal people relating to self-government that are appropriate to the particular circumstances of those people." There was no agreement reached on this proposal or on an alternative proposal drafted by the Premier of Saskatchewan.

A fourth and final Constitutional Conference was held in Ottawa on 26 and 27 March 1987. As in the previous two conferences, aboriginal self-government was the main focus of discussion. It was clear from preparatory meetings and from the opening speeches of the participants at the conference itself, that the aboriginal peoples and the federal and provincial governments hold very divergent views on what should be entrenched in the Constitution. Aboriginal people are seeking the recognition of their "inherent" right to self-government, a right which they were exercising before the arrival of Europeans in North America, and at the time of Confederation. They believe this is a right which has never been extinguished, and which, because they already possess it, cannot be given to them by the federal and provincial governments. The federal government and many of the provincial governments, on the other hand, are willing to entrench only a "contingent" right, that is, a right which is delegated and is defined through negotiated agreements.

The second day of the Conference saw the introduction of a new federal proposal for a constitutional amendment which Prime Minister Brian Mulroney described as being a reflection of all the comments made during the opening statements and an attempt to find common ground on which to reach a constitutional amendment. The public meeting was then adjourned and all discussions on the proposal were held behind closed doors. When the public meeting was resumed it was quickly evident from the closing speeches that the majority of the conference participants did not support

the federal government's proposed amendment. The conference ended with no agreement having been reached on the constitutional entrenchment of the right to aboriginal self-government. Thus, the constitutional process agreed to in the political accord signed at the 1983 FMC came to an end.

Within weeks of the failed final conference on aboriginal rights, the Prime Minister and Premiers met at Meech Lake and agreed in principle on amendments that would permit Quebec to support the Constitution Act, 1982. While the original proposal contained no reference to aboriginal peoples, the Accord, agreed to by the First Ministers on 3 June 1987, contained a "non-derogation" clause (s. 16 of the Constitution Amendment, 1987).

Multi-cultural heritage and aboriginal peoples

16. Nothing in section 2 of the Constitution Act, 1867 affects section 25 or 27 of the Canadian Charter of Rights and Freedoms, section 35 of the Constitution Act, 1982 or class 24 of section 91 of the Constitution Act, 1867.

Spokesmen for aboriginal organizations criticized the Accord for failing to recognize aboriginal societies as "distinct" and for failing to include aboriginal peoples and their rights in future constitutional discussions. The timing of the Meech Lake process created feelings of bitterness and frustration on the part of aboriginal peoples, who felt that they were still left out of Canada's Constitution, as they had been since 1867.

National aboriginal organizations made strong representation to the Special Joint Committee on the 1987 Constitutional Accord, calling for amendments to guarantee the rights of aboriginal peoples and fuller participation in the constitutional process.

In its report, issued 21 September 1987, the Committee took the view that the "unsuccessful Constitutional Conference on Aboriginal Affairs should not stand in the way of acceptance of the 1987 Constitutional Accord". But the Committee also saw the issue of aboriginal self-government as unfinished business of high constitutional importance. Their conclusions on aboriginal constitutional matters were as follows: [The Joint Committee]

(i) affirms its view that First Ministers and representatives of aboriginal peoples must continue to work towards a satisfactory resolution of the constitutional issues brought forward by the aboriginal people of Canada, especially the issue of aboriginal self-government;

(ii) recommends that the federal government restore funding to aboriginal organizations at an appropriate level to enable them to continue to participate in the preparatory work that is essential to successful constitutional negotiations;

(iii) recommends that a timetable and serious work plan be established by the federal government, in consultation with the provinces and the aboriginal organizations, to prepare for a further Constitutional Conference (or Conferences) on Aboriginal Self-Government;

(iv) recommends that serious consideration be given to conducting such Conference(s) on Aboriginal Self-Government in closed sessions as well as open sessions;

(v) recommends that the first such Conference take place no later than April 17, 1990 and that any further conferences that may be required be scheduled at that time in light of whatever progress has been achieved.

(Report, p. 113)

Only the Conservative and NDP representatives on the Committee signed the Report. The NDP representatives also stated (in Addendum B) that they would like to see included in the Accord a commitment to hold a First Ministers' Conference to discuss aboriginal rights, in particular self-government, and full participation of aboriginal peoples' representatives in all matters affecting their rights (Report, p. 155). The Liberal Members and Senators abstained from signing the Report, and, while supporting the Accord, proposed several amendments (in Addendum A, p. 149-154). The first amendment supports aboriginal rights; its purpose is:

> to include as fundamental characteristics of Canada the recognition of aboriginal peoples, multicultural and regional identities and the advantages of developing the Canadian economic union.

This would be accomplished by providing in s. 2 of the Constitution Act that interpretation of the Constitution should be consistent with the

recognition that aboriginal peoples constitute a distinctive and fundamental characteristic of Canada.

The Liberal members also proposed that treaty and aboriginal rights, including the right to self-government, should be restored to the constitutional agenda.

CHRONOLOGY

1763 - The Royal Proclamation recognized the rights of the "several Nations or Tribes of Indians ... who live under our protection".

1867 - Legislative authority with respect to "Indians, and Lands reserved for the Indians" assigned to Parliament at Confederation.

1951 - Last major revision of the Indian Act.

1969 - The federal government issued its White Paper on Indian Policy, proposing termination of special status. The Paper was later withdrawn.

1975-1978 - National Indian Brotherhood (NIB) General Assembly called for partial revision of the Indian Act. A Joint NIB/Cabinet Committee worked on proposed revisions but failed to agree, and disbanded in 1978.

December 1980 - Declaration of First Nations.

December 1981 - Parliament approved Constitutional Resolution affirming "existing aboriginal rights".

20 April 1982 - The Assembly of First Nations was formed.

4 August 1982 - The House of Commons Standing Committee on Indian Affairs and Northern Development received Orders of Reference, first to study discriminatory provisions of the Indian Act, then to review all aspects of band governments on Indian reserves.

Autumn 1982 - On 22 September 1982, the Sub-Committee on Indian Women and the Indian Act issued its report. The Sub-Committee on Indian Self-Government began work in early October. In December, in accordance with the new rules of the House of Commons, the Special Committee on Indian Self-Government continued this work with an expanded mandate.

14-16 March 1983 - First Ministers' Conference on Aboriginal Constitutional Matters.

3 November 1983 - The Report of the Special Committee on Indian Self-Government recommended constitutional recognition of the right to Indian self-government, and called for fundamental change in the federal-Indian relationship, through new legislation, administrative and financial arrangements developed jointly with Indian First Nations.

5 March 1984 - The Minister of Indian Affairs tabled the Response of the Government to the Report of the Special Committee on Indian Self-Government.

8-9 March 1984 - At the First Ministers' Conference, Prime Minister Trudeau proposed constitutional recognition "that the aboriginal peoples of Canada have the right to self-governing institutions that will meet the needs of their communities". No agreement was reached at the Constitutional Conference.

June 1984 - Passage of the Cree/Naskapi Act providing for local government in James Bay Cree and Naskapi communities under the James Bay and Northeastern Quebec Agreements.

27 June 1984 - Bill C-52, a proposed "Indian Self-Government Act" received first reading in the House of Commons.

17 September 1984 - The Honourable David Crombie was named Minister of Indian Affairs and Northern Development in the Conservative government. The Minister of Justice was assigned responsibility to assist the Prime Minister in preparations for the First Ministers' Conference on Aboriginal Rights "and other matters relating to Indian Self-Government".

November 1984 - Supreme Court of Canada decision in the Musqueam case declared Indian interest in land a pre-existing independent interest and held the Crown liable as a fiduciary when dealing with surrendered lands.

2-3 April 1985 - At the First Ministers' Conference, Prime Minister Mulroney tabled a proposal for constitutional

recognition of aboriginal self-government but no agreement was reached.

17 April 1985 - New membership provisions of the Indian Act came into effect.

28 June 1985 - Bill C-31, an Act to amend the Indian Act, received Royal Assent.

15 April 1986 - The Honourable David Crombie, Minister of Indian Affairs and Northern Development, issued a policy statement on Indian Self-Government.

30 June 1986 - The Honourable Bill McKnight was appointed Minister of Indian Affairs and Northern Development.

9 October 1986 - The Sechelt Indian Self-Government Act received Royal Assent. The Sechelt Indian Band became the first individual Indian band to be recognized by the federal government as a self-governing Indian Nation. It was also the first Indian band to hold fee simple title to its reserve lands.

26-27 March 1987 - The final First Ministers' Conference required by s. 37.1 of the Constitution Act failed to produce a self-government amendment.

SELECTED REFERENCES

Bartlett, H. "Survey of Canadian Law: Indian and Native Law". Ottawa Law Review, Volume 15, 1983, p. 431-502.

Canada. House of Commons Special Committee on Indian Self-Government. Second Report: Indian Self-Government in Canada. 1st Session, 32nd Parliament, Issue No. 40

Canada. House of Commons Standing Committee on Indian Affairs and Northern Development. Sixth Report (Report of the Sub-Committee on Indian Women and the Indian Act). 1st Session, 32nd Parliament, Issue No. 58

Canada. Indian and Northern Affairs. Response of the Government to the Report of the Special Committee on Indian Self-Government. Ottawa, 5 March 1984.

Crombie, Hon. David, Minister of Indian Affairs and Northern Development. Policy Statement on Indian Self-Government in Canada. 15 April 1986.

Leslie, J. and R. Maguire, eds. The Historical Development of the Indian Act. 2nd edition. Indian and Northern Affairs, 1978.

Little Bear, Leroy, Menno Boldt and J. Anthony Long, eds. Pathways to Self-Determination: Canadian Indians and the Canadian State. University of Toronto Press, Toronto, 1984.

Mulroney, Rt. Hon. Brian, Prime Minister. Notes for an Opening Statement. First Ministers' Conference, The Rights of Aboriginal Peoples, 2 March 1985

Trudeau, Hon. Pierre E., Prime Minister. Statement to the Conference of First Ministers on Aboriginal Constitutional Matters. 8 March 1984.